

CV 99 4272

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,  
Plaintiff,  
-against-

JOANN HIRSCH,  
A/K/A JOANN ROTELLA,  
Defendant(s).

U.S. DISTRICT  
CLERK  
CIVIL  
COMPLAINT  
Civil Action No.  
Claim No. C-81476

1999 JUL 28  
P 3 31

PLATT, J.

LINDSAY, M

The UNITED STATES OF AMERICA, by its attorneys SOLOMON AND SOLOMON, P.C. complaining of the defendant,

FIRST: Jurisdiction is conferred upon this Court pursuant to Title 28, United States Code, Section 1345.

SECOND: The defendant resides within the Eastern District of New York.

THIRD: Defendant owes plaintiff the principal sum of \$1,000.00 plus interest according to the Certificate of Indebtedness annexed hereto.

FOURTH: No part of the aforesaid sum has been paid, although duly demanded.

WHEREFORE, plaintiff demands judgment against the defendant as follows:

- a. In the amount of \$1,761.00 (\$1,000.00 principal, \$526.00 interest accrued through 07/02/99, and \$235.00 costs),
- b. Interest to accrue at the rate of 3.000% per annum after 07/02/99 to date of judgment,
- c. Interest from date of judgment at the legal rate in effect on date of judgment;
- d. Costs of suit, fees and disbursements, and
- e. Such other proper relief as this Court may deem just.

Dated: Albany, New York  
July 23, 1999

SOLOMON AND SOLOMON, P.C.  
Attorneys for Plaintiff  
Five Columbia Circle  
P.O. Box 15019  
Albany, New York 12203

BY:

William P. Hessney(WH9694)  
518-456-7200

This is an attempt to collect a debt. Any information obtained will be used for that purpose. This communication is from a debt collector.

U. S. DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA

CERTIFICATE OF INDEBTEDNESS

JoAnn Hirsch  
JoAnn Rotella  
209 Juniper Rd.  
Kings Park, NY 11754

SSN: 135 48 3208

I certify that Department of Education records show that the debtor named above is indebted to the United States in the amount stated below plus additional interest from 07/31/98.

On or about 05/08/80, the debtor executed promissory note(s) to secure loan(s) of \$1,000.00 from Wilfred Academy - Hauppauge, NY at 3% percent interest per annum. The institution made the loan(s) under the Federally-funded National Direct Student Loan, now Perkins Student Loan, programs authorized under Title IV-E of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087 aa *et seq.* (34 C.F.R Part 674). The institution demanded payment according to the terms of the notes, and the debtor defaulted on the obligation on 11/01/81. Due to this default, the institution assigned all rights and title to the Department of Education.

After the institution credited all cancellations due and payments received, the debtor owed the school \$1,000.00 principal and interest in the amount of \$477.50. This principal and interest together with any unpaid late charges totaled \$1,712.50. The loan was assigned to the Department on 10/01/97.

Since assignment of the loan, the Department has received a total of \$0.00 in payments from all sources, including Treasury Department offsets, if any. After application of these payments, the debtor owes the United States the following:

Principal:	\$1,000.00
Interest:	\$ 498.82
Fees/Costs:	\$ 0.00
Late charges	\$ 235.00
Total Debt as of 07/31/98:	\$1,733.82

Interest accrues on the principal shown here at the rate of \$0.08 per day.

Pursuant to 28 U.S.C. S 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 8/14/98

Name: Joan Dyer  
Title: Loan Analyst  
Branch: Litigation Branch